PART II—Section 2.

NOTIFICATIONS BY GOVERNMENT.

CHIEF SECRETARIAT.

No. P. 3308 (2)—*Mily.* 103-23-3, *dated* 22*nd December* 1923.

The following letter No. A. 18849-1 (A. G. 8) dated 5th October 1923 of the Government of India regarding the Policy and Procedure in regard to the forfeiture of military pensions and other military awards, is published for general information :—

By Order,
K. MATTHAN,
Chief Secretary to Government.

Special and Miscellaneous.

No. A.-18849-1 (A. G. 8).

GOVERNMENT OF INDIA.

ARMY DEPARTMENT.

Simla, the 5th October 1923.

To

ALL LOCAL GOVERNMENTS AND ADMINISTRATIONS.

Policy and procedure in regard to the forfeiture of military pensions and other military awards.

SIR,

It has been represented to the Government of India that it is desirable that they should reaffirm, and in certain respects amplify, the orders which have been issued from time to time in regard to the continuance or forfeiture of pensions, rewards, etc., earned by military service, the holders of which become involved in some form of seditious agitation or disloyalty towards Government. The Government of India understand that there is a feeling among serving soldiers in particular that the intentions of Government in regard to this matter should be made clear and should be consistently carried out; and the Governor-General in Council is accordingly pleased to issue the following instructions on the subject :—

2. The liability to forfeit pension may be incurred without a pensioner having been actually convicted by a criminal court of an offence connoting disaffection or disloyalty towards Government: in other cases the liability arises directly from such conviction. In order to determine the practice and procedure which should be followed, it is necessary to deal with these two classes of cases separately, and it is also necessary to make it clear that there must be a difference of treatment in regard to (*i*) pensions, *jangi inams*, and other forms of recurring money payments, and (*ii*) grants of land given as rewards for military service.

3. *Cases in which the liability to forfeit pension is incurred without the pensioner having been actually convicted of an offence connoting disaffection or disloyalty towards Government.*—Adequate instructions for dealing with this category of cases already exist, *vide* the Government of India, Army Department, letter No. A.-9340-1 (A. G. 8) dated the 16th March 1922, to the Government of the Punjab, a copy of which is attached for facility of reference. The Government of India desire, however, to emphasize that these instructions are intended to be acted upon, and that it is particularly desirable in present circumstances that adequate use should be made of them. It will be observed that under these instructions action has to be initiated by the civil authorities; and the civil authorities may feel less reluctance in taking action if they realize that it is not the intention that a pension withdrawn under these orders should in all cases be permanently forfeited. The Government of India hereby grant authority to District Commanders to restore the pension from such date as is considered suitable in cases where the Local Government and the District Commander are satisfied, on a guarantee of future good behaviour having been given, that this ought to be done.

4. *Cases in which the liability to forfeit pension arises out of the pensioner having been convicted of some offence connoting disaffection or disloyalty towards Government.*—In these